

Exhibit "40"

EMPLOYEE NAME: Andrew LopezPAGE 12 OF 20**PART II--PROGRESS REVIEW RECORD** *(Progress Review Notes, if any)*

For the period from 04/01/98 through 09/30/98.

It does not appear that SRI Lopez has conducted any training during this period of time. On August 31, 1998, SRI Lopez was given lead responsibilities for SRI participation in the port's "blitz" team. At that time, he was encouraged to conduct training which inspectors who participate in "blitz" operations would find helpful. He was also told that he should discuss any existing training with another SRI who had been tasked with this lead responsibility previously.

SRI Lopez is encouraged to conduct training sessions with inspectors who have volunteered to work on "blitz" operations. He is also encouraged to quiz other SRI's about existing training programs which could be adapted for "blitz" training. This training, on subjects as varied as document fraud and criminal alien profiles, would fit in well with a "blitz" training program.

SRI Lopez should be able to conduct training in this area before the end of the rating period on 03/31/99.

PART III--PERFORMANCE ACHIEVEMENTS *(Briefly compare employee's achievements against performance standards.)*

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PART IV--INDIVIDUAL ELEMENT RATING *(See page 2 of the instructions for the definitions of the Individual Rating Levels.)*

OUTSTANDING ☐ EXCELLENT ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNACCEPTABLE ☐